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 SCHENKER, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

SCHENKER, INC.,)	CASE NO.: C 08 4182 (VRW)
)	
Plaintiff,)	NOTICE OF SETTLEMENT AND
)	REQUEST FOR 120 DAY
v.)	CONDITIONAL DISMISSAL;
)	[PROPOSED] ORDER
MOLLICOOOLZ, LLC,)	
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Defendant.)	
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NOTICE OF SETTLEMENT

REQUEST FOR CONDITIONAL DISMISSAL

Dated: 3 November 2008

LAW OFFICES OF GEORGE W. NOWELL

By: /s/ John H. Cigavic III

JOHN H. CIGAVIC III
Attorneys for plaintiff
SCHENKER, INC.

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~~PROPOSED~~ ORDER

GOOD CAUSE APPEARING in plaintiff SCHENKER INC.'s request for a 120 day conditional dismissal:

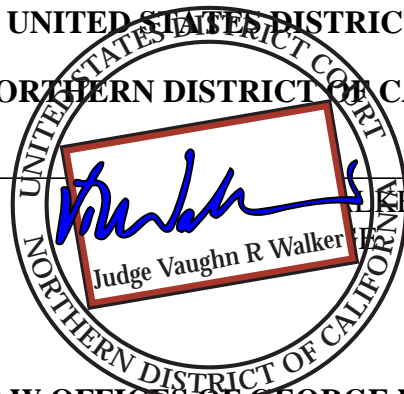
IT IS HEREBY ORDERED that this case be dismissed without prejudice; provided, however, that if any party hereto shall certify to this Court, within 120 days, with proof of service of a copy thereon opposing counsel, that the agreed consideration for said settlement has not been delivered over, the foregoing Order shall stand vacated and this case shall forthwith be restored to the calendar to be set for trial.

IT IS SO ORDERED.

Dated: November 6, 2008

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

By: _____



Prepared by: _____

Dated: 3 November 2008

LAW OFFICES OF GEORGE W. NOWELL

By: _____ /s/ John H. Cigavic III

JOHN H. CIGAVIC III
Attorneys for plaintiff
SCHENKER, INC.

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